

**RECEIVED
CENTRAL FAX CENTER
DEC 12 2008**



**HAMRE, SCHUMANN,
MUELLER & LARSON, P.C.**
AN INTERNATIONAL INTELLECTUAL PROPERTY LAW FIRM

FAX TRANSMISSION December 12, 2008

TO: Examiner: MELLER
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

FROM: Douglas P. Mueller
OUR REF: 11336.1022USWO
TELEPHONE: (612) 455.3800

Total pages, including cover letter: 3

PTO FAX NUMBER: 571.273.8300

If all pages are NOT received, please call us at 612.455.3800 or fax us at 612.455.3801.

Title of Document: **RESPONSE TO RESTRICTION REQUIREMENT (2 PAGES)**

Applicant: ACHARYA ET AL.
Serial No.: 10/591023
App. Filed: June 27, 2008
Group Art No.: 1655
Conf. No.: 4735

Please charge any additional fees or credit overpayment to Deposit Account No. 50-3478. Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate.

By: _____
Name: Douglas P. Mueller
Reg. No.: 30,300

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.

Gina M. Dahl

A handwritten signature in black ink, appearing to read "Gina M. Dahl".

Signature

December 12, 2008

Date

225 SOUTH SIXTH STREET • SUITE 2650 • MINNEAPOLIS • MN 55402
TEL 612.455.3800 • FAX 612.455.3801
WWW.HSML.COM • MAIL: OEHHSML.COM

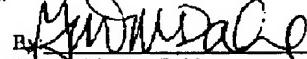
RECEIVED
CENTRAL FAX CENTER
DEC 12 2008

S/N 10/591,023

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	ACHARYA ET AL.	Examiner:	MELLER
Serial No.:	10/591,023	Group Art Unit:	1655
Filed:	June 27, 2008	Docket No.:	11336.1022USWO
Title:	HERBAL EXTRACT FOR RENAL DISORDERS		

CERTIFICATE UNDER 37 CFR 1.6(d): I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on December 12, 2008.


By _____
Name: Gina M. Dahl

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants provisionally elect Group I (claims 1-13 and 15) in response to the Restriction Requirement of November 14, 2008. Applicants traverse the finding that there is no common special technical feature for the various groups of claims. The present invention is directed to the use of "standardized extract of *Tinospora cordifolia*", which has been found to have a useful biological effect as an immunoadjuvant to conventional therapy. Even if the cited prior art WO91/08750 teaches use of *Tinospora cordifolia* for the treatment of cancerous disease, it does not teach "a standardized extract of *Tinospora cordifolia*" and the advantages of such a standardized extract as an immunoadjuvant to conventional therapy in the treatment of renal disorders such as recurrent urinary tract infections and nephrotic syndrome. Thus, the subject matter of the presently claimed invention possesses a special technical feature in the form of the standardized extract of the plant, *Tinospora cordifolia*. Thus, it is evident from the above discussion that the inventions of Groups I - III possess unity of invention as required by PCT Rule 13.1 and have the same or corresponding special technical feature as required under PCT Rule 13.2. Moreover, Applicants respectfully suggest that the restriction requirement has not established that there would be any undue burden in considering the different groups of claims in

S/N 10/591,023

PATENT

a single examination; Applicants respectfully contend that, in this field, a reference that is relevant to one of the groups generally will have a similar relevance to others.

Applicants further provisionally elect the following species: "chronic recurrent urinary tract infections", with traverse (claims 1-4, 7, and 8 read upon the elected species); "the renal disorder due to bacterial infections", with traverse (claims 3 and 4 read upon the elected species); "antibacterial therapy", with traverse (claims 7 and 8 read upon the elected species); "that the standardized extract of *Tinospora cordifolia* is standardized by bioassay", with traverse (claims 12 and 13 read upon the elected species). To the extent that the election of species requirement is justified on the absence of a special technical feature argument used to justify the restriction requirement, the arguments presented above are applicable.

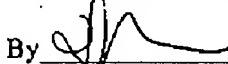
An early and favorable action on the merits is requested.

Please charge any additional fees or credit any overpayment to Deposit Account No. 50-3478.

Respectfully submitted,

Hamre, Schumann,
Mueller & Larson, P.C.
P.O. Box 2902
Minneapolis, MN 55402-0902
Phone: 612-455-3800

Date: December 12, 2008

By 
Name: Douglas P. Mueller
Reg. No. 30,300
Customer No. 52835